

March 4, 2002

Mr. John Little  
Indiana State University  
951 Sycamore Street  
Terre Haute, IN 47809

Re: R 167-13514-00010  
First Reopening to Part 70 Operating  
Permit  
T 167-7546-00010

Dear Mr. Little:

Indiana State University was issued a Part 70 Operating Permit on December 31, 1998. The Office of Air Quality determined that it was necessary to reopen your Part 70 permit. Notice of the permit reopening pursuant to 326 IAC 2-7-9(c) was provided on August 16, 2000. The notice was published in the newspaper on January 9, 2002. No comments were received during the 30 day public notice comment period and the change is incorporated into your Part 70 permit.

As stated in the Notice, the language in 40 CFR Part 70.6(c)(5)(iii)(B)) was changed from "continuous or intermittent compliance" to "based on continuous or intermittent data" as part of the U.S. EPA's 1997 Compliance Assurance Monitoring rule making (Federal Register Volume 62, page 54900-54947, Wednesday, October 22, 1997). The U.S. District Court of Appeals, Washington D.C. ruled against EPA's language, saying that the Clean Air Act wording of continuous or intermittent compliance had to be used. (NRDC vs. EPA, #97-1727) Therefore, the following change is being made to your permit to be consistent with state and federal law.

Condition B.11(c)(3) is revised as follows:

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B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]

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(c) The annual compliance certification report shall include the following:

- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
- (2) The compliance status;
- (3) Whether compliance was ~~based on~~ continuous or intermittent ~~data~~;
- (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
- (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The name of IDEM's "Office of Air Management" was changed to "Office of Air Quality" on January 1, 2001. All references to "Office of Air Management" in the permit pages have been changed to "Office of Air Quality" and all references to "OAM" have been changed to "OAQ".

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this reopening and the following revised pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Janet Mobley, at (800) 451-6027, press 0 and ask for Janet Mobley or extension 2-8369, or dial (317) 232-8369.

Sincerely,

Original signed by Paul Dubenetzky

Paul Dubenetzky, Chief  
Permits Branch  
Office of Air Quality

PD/jm

Attachments: Revised Permit Pages

cc: File - Vigo County

Vigo County Health Department

Air Compliance Section Inspector - Jim Thorpe

Compliance Data Section - Karen Nowak

Vigo County Air Pollution Control

Permit Review II - Janet Mobley

**PART 70 OPERATING PERMIT  
OFFICE OF AIR QUALITY  
and  
VIGO COUNTY AIR POLLUTION CONTROL**

**Indiana State University  
951 Sycamore Street  
Terre Haute, Indiana 47809**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit. This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 and 326 IAC 2-1-3.2 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T 167-7546-00010	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: December 31, 1998  Expiration Date: December 31, 2003

First Significant Source Modification No.: 167-10718-00010, issued June 25, 1999

First Administrative Amendment No.: 167-10745-00010, issued July 8, 1999

Second Administrative Amendment No.: 167-14686-00010, issued August 1, 2001

First Reopening No.: R 167-13514-00010	Page Affected: 9
Original signed by Paul Dubenetzky Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: March 4, 2002

**B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]**

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- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Vigo County Air Pollution Control  
201 Cherry Street  
Terre Haute, Indiana 47807

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and VCAPC on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3);
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, and VCAPC may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

